

Filed for intro on 02/24/97

SENATE BILL 1780
By Graves

AN ACT to amend Tennessee Code Annotated, Section 7-82-307,
relative to the appointment of certain utility district
commissioners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-82-307, is amended by adding the
following as a new, appropriately designated subsection:

() (1) Notwithstanding any other provision of law to the contrary, in a county in
which is located a municipality having a population greater than thirty-two thousand
(32,000) according to the 1990 federal census or any subsequent federal census which
is incorporated under Tennessee Code Annotated, Title 6, Chapter 1, Part 1, and within
the boundaries of such municipality is located at least ninety percent (90%) of the
designated service area of a utility district, the county election commission of such
county shall hold an election on the question contained herein. Such election shall be
held at the next general election in the county after the adoption of the resolution by the
county and municipality in accordance with subdivision (2), to determine the method of
selection of members of the board of commissioners of such utility district. The question
to be printed on the ballot is as follows:

Shall the members of the board of commissioners of the _____
Utility District be appointed by the governing body of the city of
_____?

04100545

04100545

003091

00309118

_____YES

_____NO

The county election commission shall insert the appropriate name of the utility district and the city in the blanks prior to placing the question on the ballot. Voting shall be open to voters residing in the city and to voters residing in the service area of the utility district. If more than fifty percent (50%) of those voting in the election in both the city and the service area of the district vote in favor of the question, then the governing body of the city shall make all future appointments to the utility district's board of commissioners as terms expire. Terms of members appointed by the governing body of the city shall be the same as those whose terms are expiring. If the question is not approved as required above, the commissioners of the utility district shall continue to be appointed as provided by law prior to the date this act became effective.

(2) The method of selection of the commissioners of a utility district described in subdivision (1), shall only apply in any county and municipality to which this subsection applies upon the adoption of a resolution by a two-thirds (2/3) vote of the county legislative body of such county and adoption by a two-thirds vote (2/3) vote of the municipal legislative body of such municipality.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.